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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/609,375	07/01/2003	Wieslaw Jerzy Szajnowski	1906-0116P	1205
2292	7590	12/13/2004	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747				TSAI, CAROL S W
ART UNIT		PAPER NUMBER		
				2857

DATE MAILED: 12/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

10/17/2003

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/609,375	SZAJNOWSKI, WIESLAW JERZY	
	<b>Examiner</b>	<b>Art Unit</b>	
	Carol S Tsai	2857	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 15 October 2003.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-11 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>10/15/2003</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|   | 6) <input type="checkbox"/> Other: _____                                    |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-11 are rejected under 35 U.S.C. 102(b) as being anticipated by U. S. Patent No. 4,387,465 to Becker.

With respect to claims 1-4, 7, 8, 10, and 11 Becker discloses apparatus for analyzing statistical characteristics of an input signal, the apparatus comprising: a signal input for receiving the signal (see col. 2, lines 57-60 and col. 5, line 67 to col. 6, line 2); means coupled to the input for detecting events at which the signal level crosses a predetermined level with a predetermined slope (see col. 6, lines 2-39); means for combining multiple versions of the signal, the versions being shifted with respect to each other by amounts corresponding to the spacing of said events, to form a representation of the signal (see col. 7, line 10 to col. 8, line 51 and col. 9, line 39 to col. 10, line 63); and means for measuring a parameter dependent upon the shape of said representation and indicative of a statistical characteristic of said signal (see Abstract, lines 16-22; col. 6, lines 2-17; and col. 10, line 36 to col. 11, line 54).

As to claim 5, Becker also discloses the event detecting means is operable to detect first and second different types of events, and the combining means is operable to

combine versions of the signal shifted by amounts corresponding to the first type of events in a predetermined manner with versions of the signal shifted with respect to each other by amounts corresponding to the spacing of the second type of events to form said representation (see col. 10, line 36 to col. 11, line 16).

As to claim 6, Becker also discloses mode switching means operable to change said predetermined manner of combination (see col. 10, lines 1-35).

As to claim 9, Becker also disclose a first input terminal for receiving said input signal, a second input terminal for receiving a threshold signal representing said predetermined level, and at least one output terminal for providing an output signal forming said representation (see col. 3, lines 5-19).

### ***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kobayashi et al. disclose an analog signal measuring apparatus has: a sampling gate circuit, having a plurality of input terminals including an analog signal input terminal and a feedback signal input terminal, for generating an output signal of high or low level when a sum of input signals goes beyond or falls below a predetermined threshold value; a signal generating circuit, connected to an output terminal of the sampling gate circuit, for changing an output signal by a predetermined level toward a direction in which an output signal level of the sampling gate circuit is inverted when a trigger signal is applied to the signal generating circuit, and for supplying a feedback signal to the feedback signal input terminal of the sampling gate circuit; and a read circuit

for generating a value obtained when the feedback signal from the signal generating circuit converges, the feedback signal corresponding to a value of an analog signal supplied to the analog signal input terminal, wherein a ratio of an increment  $\Delta I_0$  to a decrement  $\Delta I_1$  in a change in the output from the signal generating circuit is controlled in response to a control signal.

Rees et al. disclose a method and apparatus for thresholding an input signal synchronous with a clock signal at a receiver.

Bizjak et al. disclose a signal processing system for permitting a user to set certain system parameters includes at least one compander, at least one system volume control for setting system gain, and at least one transform engine responsive to the user-set parameter or parameters for controlling the operation of the compander and the setting of the system volume control.

Somayazulu discloses an adaptive CDMA sequential detection method.

Jones et al. disclose a digital video quantizer for use in TCAS and ATCRBS/SIF systems.

Acampora discloses difference signals being coarsely quantized in a plurality of modes in a DPCM TV system.

Gordy et al. disclose the detector including a first and a second signal channel each of which is adapted to receive a spread spectrum signal, or any other similar type multi-modulated carrier signal.

Cox discloses available devices including quadrature detectors, delta coders and nonlinear amplifying devices being used to produce linear amplification of a bandpass analog input signal having amplitude variations.

***Contact Information***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carol S. W. Tsai whose telephone number is (571) 272-2224. The examiner can normally be reached on Monday-Friday from 8:30 AM to 5:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marc S. Hoff can be reached on (571) 272-2216. The fax number for TC 2800 is (703) 872-9306. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the TC 2800 receptionist whose telephone number is (571) 272-1585 or (571) 272-2800.

In order to reduce pendency and avoid potential delays, Group 2800 is encouraging FAXing of responses to Office actions directly into the Group at (703) 872-9306. This practice may be used for filing papers not requiring a fee. It may also be used for filing papers which require a fee by applicants who authorize charges to a PTO deposit account. Please identify the examiner and art unit at the top of your cover sheet. Papers submitted via FAX into Group 2800 will be promptly forwarded to the examiner.



Carol S. W. Tsai  
Patent Examiner  
Art Unit 2857

12/01/04